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**FILED**  
**LOS ANGELES SUPERIOR COURT**

**FEB 01 2008**

JOHN A. CLARKE, CLERK  
BY *[Signature]* PEREZ, DEPUTY

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES, CENTRAL DISTRICT

In re the Conservatorship of the Person of:  
  
BRITNEY JEAN SPEARS,  
  
Proposed Conservatee.

CASE NO. BP 108870

EX PARTE APPLICATION FOR ORDER  
FINDING GOOD CAUSE FOR EXCUSING  
NOTICE OF HEARING ON PETITION  
FOR APPOINTMENT OF TEMPORARY  
CONSERVATOR OF THE PERSON;  
MEMORANDUM OF POINTS AND  
AUTHORITIES

Date: February 1, 2008  
Time: 10:30 a.m.  
Department: *9*

1 Pursuant to Cal. Prob. Code § 2250 and Cal. R. Court 7.1062, applicant James P. Spears  
2 ("Applicant"), the father of the proposed conservatee Britney Jean Spears ("Britney"), will, and  
3 hereby does, respectfully apply to the Court for an Order finding that there is good cause for not  
4 giving notice of the hearing on the proposed appointment of a temporary conservator and, in the  
5 alternative, for waiving the requirement that notice be given five days before the hearing. Good  
6 cause exists for waiving the notice requirement because: (1) Britney or her estate may suffer  
7 immediate and substantial harm if Applicant is required to give five days' notice before the  
8 hearing, *see* Cal. R. Court 7.1062(d)(1); (2) Britney's medical treatment may be impaired if she  
9 is given notice prior to the hearing, *see* Cal. R. Court 7.1062(d)(2); (3) giving notice of the  
10 hearing would give notice to Osama ("Sam") Lutfi of the hearing, and there is a substantial risk  
11 that he might cause harm to Britney or her estate in advance of the hearing, *see id.*; and (4) there  
12 is an immediate and substantial medical emergency justifying waiver of the notice requirement,  
13 *see* Cal. R. Court 7.1062(d)(3), because Britney was on the morning of January 31, 2008 placed  
14 on a 72-hour hold pursuant to Cal. Welf. & Inst. Code § 5150 that expires on Sunday, February  
15 3, 2008, less than five days after the date on which this *ex parte* application will be heard.

16 This application is based on this Application, the Memorandum of Points and Authorities  
17 filed concurrently herewith, the Declarations of Lynne Spears, James P. Spears, and Geraldine A.  
18 Wyle filed concurrently herewith, the [Proposed] Order lodged concurrently herewith, and such  
19 argument as may be presented in connection with the Application.

20 As set forth in the Declaration of Geraldine A. Wyle filed concurrently herewith,  
21 Applicant has not given notice to Britney of this Application. This *ex parte* application asks the  
22 Court to find that there is good cause for not giving notice of the hearing on the proposed  
23 appointment of a temporary conservator. Giving notice of the *ex parte* application would give  
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1 Britney notice of the hearing on the proposed appointment of a temporary conservatory, contrary  
2 to the relief sought by this application.

3 DATED: February 1, 2008

Respectfully submitted,

4 LUCE, FORWARD, HAMILTON & SCRIPPS LLP

5  
6 By: 

Geraldine A. Wyle

Attorneys for Applicant James P. Spears

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